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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 DONNA VIZCAINO, et al.,

11 Plaintiffs,

12 v.

13 MICROSOFT CORPORATION, et al.,

14 Defendants.

CASE NO. C93-0178C

ORDER

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16 This matter has come before the Court on twenty-one class members' appeals on the merits from  
17 the Settlement Administrator's determination disallowing their claims. The Court referred the appeals to  
18 the Honorable Mary Alice Theiler, United States Magistrate Judge, for a report and recommendation  
19 ("R&R"). The R&R was entered on March 22, 2005. Only one class member, Rodney Cook, filed  
20 objections to the R&R within the time allotted for objections. Having reviewed Mr. Cook's objections  
21 and the Settlement Administrator's response thereto, the Court is satisfied that Mr. Cook's objections are  
22 based on a misapprehension of the way members' inclusion in an Offering Period is determined.

23 Therefore, the Court hereby ADOPTS the R&R and DENIES the class members' appeals on the  
24 merits.

25 Within five (5) business days of the entry of this Order, the Settlement Administrator, Rust

1 Consulting, is directed to mail a copy of the Order to each of the individuals who filed an appeal.  
2 Additionally, a copy of the Order will be sent to counsel of record (via electronic notification) and to  
3 Magistrate Judge Theiler.

4 SO ORDERED this 22nd day of April, 2005.

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7 UNITED STATES DISTRICT JUDGE  
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